

United States District Court
for
Middle District of Tennessee

Petition for Warrant or Summons for Offender Under Supervision
[Supersedes Petition Filed as Docket Entry No. 1847]

Name of Offender: Marquis Grayson

Case Number: 3:07-00171-12

Name of Judicial Officer: Honorable Todd J. Campbell, U. S. District Judge

Name of Current Judicial Official: Honorable Waverly D. Crenshaw, Jr., U.S. District Judge

Date of Original Sentence: November 7, 2008

Original Offense: 21 U.S.C. § 841(a)(1), Distribution of 50 Grams or More of a Mixture or Substance
Containing a Detectable Amount of Cocaine

Original Sentence: 120 months' custody; 5 years' supervised release

Type of Supervision: Supervised Release

Date Supervision Commenced: January 29, 2016

Assistant U.S. Attorney: John Benjamin Schrader

Defense Attorney: Dumaka Shabazz

PETITIONING THE COURT

- ☐ To issue a Summons.
☐ To issue a Warrant.
☒ To consider additional information.
-

THE COURT ORDERS:

- ☐ No Action
☐ The Issuance of a Warrant:
 ☐ Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshal only)
☐ The Issuance of a Summons.
☒ Other: consider additional information.

I declare under penalty of perjury that the
foregoing is true and correct.
Respectfully submitted,

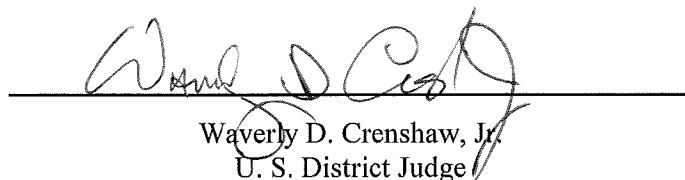
Considered this 19th day of January, 2017,
and made a part of the records in the above case.



Jon R. Hahn
U.S. Probation Officer

Place Columbia, TN

Date January 17, 2017



Waverly D. Crenshaw, Jr.
U. S. District Judge

ALLEGED VIOLATIONS

The information provided in the previous petition, filed as docket entry No. 1847, has been amended as follows:

Violation No. 1 - has been updated.

Violation No. Nature of Noncompliance

<u>1.</u>	<u>Shall not purchase, possess, use, distribute, or administer any controlled substance:</u>		
	August 11, 2016 notified	refused test, admits using cocaine and marijuana	Court
	September 8, 2016 notified	refused test, admits using cocaine and marijuana	Court
	September 20, 2016	positive for cocaine and marijuana, admits use	Court notified
	October 12, 2016	positive for cocaine and marijuana, admits use	Court notified
	October 20, 2016	refused test, admits using cocaine and marijuana notified	Court
	November 1, 2016	positive for cocaine and marijuana, admits use	
	November 29, 2016	positive for marijuana, denies use	
	December 6, 2016	positive for marijuana, denies use	
	December 20, 2016	positive for marijuana, last used 7 days prior	
	January 12, 2017	positive for marijuana, last used 30 days prior	

Compliance with Supervision Conditions and Prior Interventions:

On August 15, 2016, the Court was notified of Mr. Grayson's use of marijuana and cocaine. On September 12, 2016, the Court was notified that Mr. Grayson admitted to using cocaine the last few days and was not coming in for a drug test. On September 21, 2016, the Court was notified that Mr. Grayson admitted using marijuana and cocaine. On October 28, 2016, the Court was notified that Mr. Grayson admitted using marijuana and cocaine and a separate failure to show for a urine screen. Mr. Grayson started outpatient treatment with the Guidance Center on August 12, 2016. It has since been discovered the treatment center had a misunderstanding to treatment protocols regarding the amount of visits and has since been corrected. The Counselor has Mr. Grayson attending weekly individual counseling sessions and has encourage Narcotics Anonymous attendance.

Update of Offender Characteristics:

Marquis Grayson is employed and resides with his mother in Williamson County, Tennessee.

U.S. Probation Officer Recommendation:

It is respectfully requested that the Court consider the additional violations/information reported above at Mr. Grayson's revocation hearing before Your Honor scheduled for January 20, 2017, at 3:00 p.m. The U.S. Attorney's Office is agreeable with this recommendation.

Approved: _____

Donna Jackson

Supervisory U.S. Probation Officer

SENTENCING RECOMMENDATION
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE
UNITED STATES V. MARQUIS GRAYSON, CASE NO. 3:07-00171-012

GRADE OF VIOLATION: C
CRIMINAL HISTORY: IV

ORIGINAL OFFENSE DATE: POST APRIL 30, 2003 **PROTECT ACT PROVISIONS**

	<u>Statutory Provisions</u>	<u>Guideline Provisions</u>	<u>Recommended Sentence</u>
CUSTODY:	5 years (Class A felony) 18 U.S.C. § 3583(e)(3)	6-12 months U.S.S.G. § 7B1.4	No recommendation
SUPERVISED RELEASE:	5 years less any term of imprisonment 18 U.S.C. § 3583(h)	2-5 years U.S.S.G. § 5D1.2(a)(1)	No recommendation

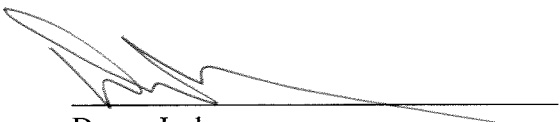
Statutory Provisions: When a term of supervised release is revoked and the defendant is required to serve a term of imprisonment, the court may include a requirement that the defendant be placed on a term of supervised release after imprisonment. The length of such a term of supervised release shall not exceed the term of supervised release authorized by statute for the offense that resulted in the original term of supervised release, less any term of imprisonment that was imposed upon revocation of supervised release. 18 U.S.C. § 3583(h). Mandatory revocation for possession of controlled substance or firearm or for refusal to comply with drug testing. If the defendant possesses a controlled substance in violation of the condition set forth in subsection (d). 18 U.S.C. § 3583(g)(1).

Guideline Policy Statements: Upon a finding of a Grade C violation, the court may (A) revoke probation of supervised release; or (B) extend the term of probation or supervised release and/or modify the conditions of supervision. U.S.S.G. § 7B1.3(a)(2).

Respectfully Submitted,



Jon R. Hahn
U.S. Probation Officer

Approved: 
Donna Jackson
Supervising U.S. Probation Officer

VIOLATION WORKSHEET

1. **Defendant** Marquis Grayson
2. **Docket Number** (*Year-Sequence-Defendant No.*) 0650 3:07CR00171 - 12
3. **District/Office** Middle District of Tennessee
4. **Original Sentence Date** 11 / 07 / 2008
month day year
5. **Original District/Office** _____
(*if different than above*)
6. **Original Docket Number** (*Year-Sequence-Defendant No.*) _____
7. **List each violation and determine the applicable grade (see §7B1.1):**

<u>Violation(s)</u>	<u>Grade</u>
Shall not use illegal drugs	C
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

8. **Most Serious Grade of Violation** (*see §7B1.1(b)*)

C

9. **Criminal History Category** (*see §7B1.4(a)*)

IV

10. **Range of Imprisonment** (*see §7B1.4(a)*)

6-12 months

11. **Sentencing Options for Grade B and C Violations Only** (*Check the appropriate box*):

- ☒ (a) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c)(1) provides sentencing options to imprisonment.
- ☐ (b) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c)(2) provides sentencing options to imprisonment.
- ☐ (c) If the minimum term of imprisonment determined under §7B1.4 (Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Defendant Marquis Grayson

12. **Unsatisfied Conditions of Original Sentence**

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation (see §7B1.3(d)):

Restitution(\$)	_____	Community Confinement	_____
Fine(\$)	_____	Home Detention	_____
Other	_____	Intermittent Confinement	_____

13. **Supervised Release**

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 (see §§7B1.3(g)(1)).

Term: _____ to _____ years

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment imposable upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment (see 18 U.S.C. §3583(e) and §7B1.3(g)(2)).

Period of supervised release to be served following release from 5 years less imprisonment:

14. **Departure**

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of Imprisonment:

15. **Official Detention Adjustment** (see §7B1.3(e)): _____ months _____ days